

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRIAN DRUKTENIS)	CASE NO.: 1:18 CV 2283
)	
Petitioner,)	JUDGE JOHN ADAMS
)	
v.)	
)	
L. EPPINGER, Warden)	<u>MEMORANDUM</u>
)	<u>OPINION AND ORDER</u>
)	
Respondent.)	
)	

Pro se Petitioner Brian Druktenis has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging the constitutionality of his 1985 conviction for murder with a firearm specification rendered by the Ashtabula County Court of Common Pleas in Case No. 11303. (Doc. 1.) Petitioner’s first ground for relief states in its entirety: “No Complaint. The Trial Court lacked Subject-Matter Jurisdiction.” (*Id.* at 5.) For his second ground, Petitioner states only, “Trial Court is in violation of Due process.” (*Id.* at 7.) The Petition provides no factual allegations supporting either claim.

District courts may summarily dismiss a habeas petition when it appears on its face that the petitioner is not entitled to relief. 28 U.S.C. § 2243; Rule 4, Rules Governing Habeas Corpus Cases Under Section 2254. This petition is too vague and conclusory to state a claim upon which relief may be granted. *See* Rule 2(c), Rules Governing Habeas Corpus Cases Under Section 2254. Therefore, on October 9, 2018, the Court ordered Petitioner to file within thirty days an amended petition with a more

detailed explanation of his legal claims and the facts supporting those claims to avoid dismissal. (Doc. 4.) Petitioner has failed to comply with that Order.

Accordingly, this case is dismissed under 28 U.S.C. § 2243. This Court further certifies that an appeal from this decision could not be taken in good faith. 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED.

/s/ John R. Adams 11/20/18
JUDGE JOHN R. ADAMS
UNITED STATES DISTRICT COURT